

MEETINGS TO DATE 20
NO. OF REGULARS 18
NO. OF SPECIALS 2

LANCASTER, NEW YORK
SEPTEMBER 19, 1983

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 19th day of September, 1983, at 8:00 P.M. and there were:

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
LEONARD E. GRZYBOWSKI, COUNCILMAN
DONALD E. KWAK, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
ROBERT LABENSKI, TOWN ENGINEER
THOMAS E. FOWLER, CHIEF OF POLICE
ROBERT L. LANEY, BUILDING INSPECTOR
MALCOLM J. FRANCIS, JR., ASSESSOR

BID OPENINGS:

None

PUBLIC HEARING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M. the Town Board held a Public Hearing to hear all interested parties and citizens on the "Proposed Uses" of Federal Revenue Sharing Funds received or to be received by the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PUBLIC HEARING SCHEDULED FOR 8:00 P.M. CONT'D.:

The Supervisor stated the purpose of the hearing and also commented that, as of date, no Federal Revenue Sharing Funds have been appropriated by the Congress for the year 1984.

SUGGESTED USES

NONE

ON MOTION BY COUNCILMAN GIZA, AND SECONDED BY COUNCILMAN KWAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:15 P.M.

PUBLIC HEARING SCHEDULED FOR 8:15 P.M.:

At 8:15 P.M. the Town Board held a Public Hearing to hear all interested parties and citizens upon the rezone petition of Homes by Helenbrook proposing to amend the Zoning Ordinance and Zoning Map of the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed Certified Mail, Return Receipt Requested, to the Petitioner, and the Erie County Department of Planning, notifying these individuals of the time and place of this Public Hearing.

The Town Clerk presented a Zoning Coordination Referral from the Erie County Department of Planning wherein the Department acknowledged receipt of a Notice of this Public Hearing and commented as follows: "No Recommendation."

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending approval of the proposed rezone.

PROPOSERS

Bill Helenbrook, the petitioner
331 Ransom Road
Lancaster, New York 14086

OPPOSERS

NONE

ON MOTION BY COUNCILMAN CZAPLA, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:25 P.M.

The Town Board later in the meeting suspended the necessary rule and adopted a resolution granting this rezone.

OFFICIAL REPORTS:

None

COMMITTEE REPORTS:

Councilman Czapla, for the Police and Safety Committee, requested the Town Clerk to forward copies of the reconstruction data on Como Park Boulevard, a County highway, to Legislator Slisz and Legislator Mohr with copy of that letter to the Village of Lancaster, Village of Depew, the Depew School District, and Legislative candidates R. Kruger and I. Piusinski.

Councilman Kwak, for the Police and Safety Committee, distributed to the Town Board members, a copy of a proposed set of "By-Laws of Lancaster Traffic Safety Commission" with a request that the Board members review and comments upon these by-laws.

Councilman Kwak, for the Recreation Committee, informed the Town Board that the Recreation Commission and the Recreation Committee is investigating the request of the Catholic Charities to establish an outreach program for the elderly within the Town of Lancaster.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the minutes of the meeting of the Town Board held
September 6, 1983, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN GRZYBOWSKI	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

~~duh~~xx
The resolution was thereupon unanimously adopted.

September 19, 1983

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GRZYBOWSKI , TO WIT:

WHEREAS, the Chairman of the Youth Bureau and the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated August 10, 1983, has recommended the abolishment of the position of Youth Counselor, Part-time, and the position of Youth Employment Counselor, Part-time, and the creation of the position of Youth Counselor, Full-time, in the Office of the Youth Bureau of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the position of Youth Counselor, Part-time, in the Office of the Youth Bureau of the Town of Lancaster be and is hereby abolished, effective October 3, 1983, and
2. That the position of Youth Employment Counselor, Part-time, in the Office of the Youth Bureau of the Town of Lancaster be and is hereby abolished, effective October 3, 1983, and
3. That the Town Board of the Town of Lancaster hereby creates the position of Youth Counselor, Full-time, in the Town of Lancaster Youth Bureau, effective October 3, 1983, and
4. That the Supervisor be and is hereby authorized to complete and execute Section 8 of Form P0-17 (New Positions Duties Statement) from the Erie County Department of Personnel, indicating that the position of Youth Counselor, Full-time, has been created and take necessary action to accomplish the abolishment of the positions of Youth Counselor, Part-time, and Youth Employment Counselor, Part-time, in the Youth Bureau of the Town of Lancaster, and
5. That ROBERT J. SMITH, be and is hereby appointed to the position of Youth Counselor, Full-time, in the Office of the Youth Bureau of the Town of Lancaster, effective October 3, 1983, an an annual salary of \$12,379.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN GRZYBOWSKI	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

~~and~~

The resolution was thereupon unanimously adopted.

September 19, 1983

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GRZYBOWSKI , TO WIT:

WHEREAS, the Town Board has previously advertised for bids for the furnishing to the Highway Department of the Town of Lancaster, New York of two (2) new and unused ~~1983~~ diesel-powered 4 X 2 straight trucks, in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, said bids were duly opened on September 6, 1983, and

WHEREAS, LAKE ERIE INTERNATIONAL TRUCKS, 2425 Walden Avenue, Cheektowaga, New York 14225, has submitted a "Net Bid with Trade" for the furnishing of said trucks, for the sum of \$39,380.00, and

WHEREAS, the Superintendent of Highways has recommended the purchase of the above mentioned vehicles, and further that said bid is the lowest responsible "Net Bid with Trade" submitted conforming with the specifications therefor,

NOW, THEREFORE, BE IT

RESOLVED, that the low "New Bid with Trade" of LAKE ERIE INTERNATIONAL TRUCKS, 2425 Walden Avenue, Cheektowaga, New York 14225, in the amount of \$39,380.00 for the two (2) new and unused ~~1983~~ Diesel-powered 4 X 2 straight trucks, be and the same is hereby authorized to be placed and that delivery be made not later than Ten (10) days after date of order, with terms of payment as follows:

1. The sum of Four Thousand Dollars (\$4,000.00) from the Account, MACHINERY (ITEM 3) HIGHWAY, 1983 Budget of the Town of Lancaster, and
2. Check from proceeds of Bond Anticipation Note - \$35,380.00

A contract for purchase of the items shall be duly executed between the Town Superintendent of Highways and such vendor. When such contract has been duly executed, the Supervisor is authorized to complete such purchase upon delivery of the item purchased in accordance with the terms of the Bond Resolution and such contract.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN GRZYBOWSKI	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

~~xxxx~~
The resolution was thereupon unanimously adopted.

September 19, 1983

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Chief of Police and Police and Safety Committee of the
Town Board of the Town of Lancaster have recommended, after detailed study
that it would be beneficial and to the best interests of the Town of Lancaster
to standardize the components of a telephone communications system for the
Police Department, Court and Recreation Department at the Lancaster Town Center
to those components manufactured by WESTERN ELECTRIC COMPANY;

NOW, THEREFORE, BE IT

RESOLVED, that for reasons of efficiency, economy and availability
of replacement parts and service, free interchange of equipment in times of
emergency by the various departments of town government and more efficient
purchase, storage and use of spare parts and accessories, and consolidation
of factory authorized service commitments, and pursuant to Section 103 (5) of
the General Municipal Law of the State of New York, it is determined by the
Town Board of the Town of Lancaster that the Town of Lancaster standardize the
telephone communications components and equipment to those manufactured and
supplied by WESTERN ELECTRIC COMPANY, for the Police Department, Court and
Recreation Department at the Lancaster Town Center.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~and~~

The resolution was thereupon unanimously adopted.

September 19, 1983

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the appointment of MALCOLM J. FRANCIS as sole Assessor of
the Town of Lancaster, will expire on September 30, 1983, and

WHEREAS, an appointment to said position must be made in accordance
with Section 1522 of the Real Property Tax Law of the State of New York,
effective October 1, 1983, for a 6-year term, and

WHEREAS, MALCOLM J. FRANCIS posses the necessary qualifications and
experience for appointment as sole Assessor of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That MALCOLM J. FRANCIS be and hereby is appointed sole Assessor
of the Town of Lancaster, effective October 1, 1983, until September 30, 1989,
at a salary for said position as set forth in the schedule of salaries, and
2. That the Supervisor's office take whatever personnel action is
necessary with regard to this appointment.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN GRZYBOWSKI	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

~~duly~~
The resolution was thereupon unanimously adopted.

September 19, 1983

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, a 45 mile per hour speed limit is presently in effect on
Como Park Boulevard in the Town of Lancaster from the Village of Lancaster
line west to its intersection at Transit Road, and

WHEREAS, the Police and Safety Committee of the Town Board of the
Town of Lancaster deems it in the public interest that a complete survey and
evaluation of the existing 45 mile per hour speed limit be made,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
requests the New York State Department of Transportation to survey and
evaluate the existing 45 mile per hour speed limit on Como Park Boulevard
in the Town of Lancaster from the Village of Lancaster line west to its
intersection at Transit Road, with a view towards lowering the speed limit
at which vehicles may proceed, and

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster be and is
hereby authorized and directed to complete and execute Form TE9 (1/68) and
forward it to the Erie County Department of Public Works, Division of Highways,
with a request that the County of Erie join with the Town of Lancaster in
this request.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~xxxx~~

The resolution was thereupon unanimously adopted.

September 19, 1983

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GRZYBOWSKI , TO WIT:

WHEREAS, the Town of Lancaster, through the Town of Lancaster Recreation Commission, has heretofore contracted with Twin District Volunteer Fire Company, Inc., for playground facilities on its premises on William Street in the Town of Lancaster for the years 1982, 1983 and 1984, for its summer recreation program, and

WHEREAS, the Twin District Volunteer Fire Company, Inc., will shortly spend considerable funds to construct a shelter on its premises, which shelter will be used by the Town of Lancaster Recreation Commission for its summer youth recreation program, and

WHEREAS, the Town of Lancaster and Twin District Volunteer Fire Company, Inc. have agreed that the Town of Lancaster will contribute the sum of One Thousand Dollars (\$1,000.00) toward the construction of a shelter on Twin District Volunteer Fire Company premises, which will be made available to the Town of Lancaster for its summer youth recreation program for the years 1984 and 1985;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Agreement dated April 26, 1982 by and between the Town of Lancaster, the Town of Lancaster Recreation Commission, and Twin District Volunteer Fire Company, Inc. for the use of the playground facilities of the Twin District Volunteer Fire Company, Inc., on William Street in the Town of Lancaster, shall be modified to extend said Agreement for the additional year, 1985.

2. That the Town of Lancaster shall contribute the sum of One Thousand Dollars (\$1,000.00) for the cost of construction of a certain shelter to be constructed by Twin District Volunteer Fire Company, Inc. at its facility on William Street in the Town of Lancaster, which shelter shall be made available for use by the Town of Lancaster Recreation Commission for its organized summer playground and recreation program for the years 1984 and 1985.

3. That the Supervisor is authorized to disburse the sum of One Thousand Dollars (\$1,000.00) from the General Fund Account, Contingent Purposes, after execution of an Agreement modifying the Agreement of April 26, 1982, and after the shelter has been substantially constructed.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~xxxx~~
The resolution was thereupon unanimously adopted.

September 19, 1983

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Twin District Volunteer Fire Co., Inc., by letters
dated September 14, 1983, has requested confirmation of two (2) new members
duly elected to the membership of the Twin District Volunteer Fire Co., Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
confirms the membership of the following individuals in the Twin District
Volunteer Fire Co., Inc.:

Marshall Faul
20 Squirrel Run Drive
Lancaster, New York 14086

Robert Huber
38 Briarwood Drive
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

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The resolution was thereupon unanimously adopted.

September 19, 1983

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GRZYBOWSKI , TO WIT:

WHEREAS, the Step III Grant for Rehabilitation of Town Sewer District
No. 2 sewers in the Town of Lancaster under Project No. C-36-390-03 requires
the retention of engineering services during construction, surveying and
inspection, and

WHEREAS, KREHBIEL ASSOCIATES, INC., has submitted an agreement between
the Town of Lancaster for said engineer firm for said services after
negotiations with the Town Attorney;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and
directed to execute the agreement between the Town of Lancaster and Krehbiel
Associates, Inc., to provide engineering services and the services of a
construction observer and the services of a resident engineer and to provide
the necessary services during construction in connection with sewer rehabilita-
tion under Project No. C-36-390-03.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call ,which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN GRZYBOWSKI	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

~~xxxx~~

The resolution was thereupon unanimously adopted.

September 19, 1983

PREFILED RESOLUTION NO. 10

Czapla/_____ Authorize Notice to Bidders - Telephone
Communications Equipment

At the request of the Police Chief, Prefiled Resolution No. 10
was withdrawn for further study and review.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GRZYBOWSKI , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Fund	No. 4468 to 4540 Incl.	\$145,192.47
Highway Fund	No. 1995 to 2016 Incl.	\$ 26,263.24
Special District Fund	No. 680 to 683 Incl.	\$ 15,598.38
Trust & Agency Fund	No. 698 to 700 Incl.	\$ 24,709.89
Federal Revenue Sharing Fund	No. 664 to 669 Incl.	\$ 1,896.41
Capital Fund	No. 677 to 677 Incl.	\$ 83.88
Community Development Fund	No. 1155 to 1155 Incl.	\$ 256.00

and,

BE IT FURTHER

RESOLVED, that the claim of Gypsum Services Corp. for \$256.00 be
and is hereby approved and the Supervisor be and is hereby ordered to
submit this claim for payment from Community Development Project No. 436314,
Senior Citizens Center Improvement.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN GRZYBOWSKI	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

~~duyxxx~~

The resolution was thereupon unanimously adopted.

September 19, 1983

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN CZAPLA , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 GIZA , TO WIT:

RESOLVED, that the following Building Permit Applications be and
 are hereby approved and the issuance of Building Permits be and are hereby
 authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
156	Donald C. Samulski	800 Hall Rd.	ER. POOL AND FENCE
157	James Wieand	182 Schwartz Rd.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
158	Josela Enter.	3909 Bowen Rd. Bdlg. E	ER. FR. BRK. VEN. CONDO
159	Jack DeMasti	4891 Transit Rd.	EXT. FR. OFF. BLDG
160	Sam Manti	480 Central Ave.	ER. FR. SHED
161	James Pelleterie	5579 William St.	ER. FR. DECK
162	Beverly Galmbacher	1312 Ransom Rd.	USE OF MOBILE HOME
163	John Karnes	5 Robinwood Ct.	ER. FENCE
164	Raymond Dean	5051 William St.	ER. FR. RAMP

The question of the adoption of the foregoing resolution was duly
 put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~xxx~~
 The resolution was thereupon unanimously adopted.

September 19, 1983

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution.

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GRZYBOWSKI , TO WIT:

WHEREAS, a Public Hearing was held on the 19th day of September, 1983,
on the petition of HELENBROOK HOMES, INC., 3301 Ransom Road, Lancaster, New
York, for the purpose of amending the Zoning Ordinance and Zoning Map of the
Town of Lancaster, and

WHEREAS, a Notice of said Public Hearing has been duly published and
posted, and

WHEREAS, the Planning Board has considered said rezone petition and
has recommended approval of same, and

WHEREAS, in accordance with Section 239(m) of the General Municipal
Law of the State of New York, the Erie County Department of Planning has
reviewed such application for rezone and made no recommendation with respect
thereto,

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Ordinance and Zoning Map of the Town of
Lancaster is hereby amended and changed so that the real property hereinafter
described is changed from an R1-Single Family Residence District to an
R2-General Residence District:

COMMENCING at a point in the east line of Steinfeldt
Road, at a point 274.70' north of the old right of way of
Broadway, running easterly and parallel with the old right
of way of Broadway a distance of 126.06' to a point, thence
northerly 96.34' to a point, thence westerly at right angles
125.0' to the east line of Steinfeldt Road, thence southerly
80.0' to the point of beginning.

and

BE IT FURTHER

RESOLVED, as follows:

1. That said Ordinance Amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 19th day of September, 1983, and
2. That a certified copy thereof be published in the Lancaster Enterprise on or before September 22, 1983, and
3. That Affidavits of Publication be filed with the Town Clerk, and
4. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

The resolution was thereupon unanimously adopted.

September 19, 1983

LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO ZONING ORDINANCE
TOWN OF LANCASTER

The Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from an R1-Single Family Residence District to an R2-General' Residence District:

COMMENCING at a point in the east line of Steinfeldt Road, at a point 274.70' north of the old right of way of Broadway, running easterly and parallel with the old right of way of Broadway a distance of 126.06' to a point, thence northerly 96.34' to a point, thence westerly at right angles 125.0' to the east line of Steinfeldt Road, thence southerly 80.0' to the point of beginning.

STATE OF NEW YORK, COUNTY OF ERIE TOWN OF LANCASTER:

This is to certify that I, ROBERT P. THILL, Town Clerk of the Town of Lancaster in said County of Erie, have compared the foregoing copy of an Amendment to the Zoning Ordinance of the Code of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York, on the 19th day of September, 1983, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my and affixed the Seal of said Town, this 19th day of September, 1983.

Robert P. Thill
Town Clerk

(S E A L)

Councilman Grzybowski requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GRZYBOWSKI , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

RESOLVED, that the following amendment to the 1983 Budget be and hereby is effected:

FIRE PROTECTION DISTRICT

<u>Hydrant Repairs</u>	<u>Account No.</u>	<u>Increase</u> <u>Amount</u>
Dr. Appropriated Fund Balance	SF 599	\$7,600.00
Cr. Appropriations	SF 960	\$7,600.00
Dr. Subsidiary Appropriation Expense	SF 3416	\$7,600.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

The resolution was thereupon unanimously adopted.

September 19, 1983

Councilman Kwak requested the suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Town Board has heretofore issued Public Improvement Permit No. 80 to Gelert Development Corporation to strip and stockpile topsoil for future roads and utilities and to construct a retention basin and associated ditching on premises situate and fronting on Pavement Road and Walden Avenue, and

WHEREAS, Gelert Development Corporation has requested permission to remove approximately 3,722.22 cubic yards of topsoil and has supplied the Town of Lancaster with a bond in the principal amount of \$30,000.00 guaranteeing replacement of said topsoil in the event the roadways in the proposed development are not built;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. Gelert Development Corporation be and hereby is authorized to remove an additional 3,722.22 cubic yards, more or less, of topsoil from its site fronting on Pavement Road and Walden Avenue in the Town of Lancaster in accordance with Public Improvement Permit No. 80, issued by the Town Board, as follows:

- a) That said bond shall remain in full force and effect and shall guarantee the replacement of said topsoil in all areas from which it was removed in the event said improvement, including roadways, is not constructed pursuant to said Public Improvement Permit within five (5) years of this date.

- b) Said Gelert Development Corporation affirmatively agrees and Public Improvement Permit No. 80 is conditioned upon the development of said roadways in accordance with the Town specifications or the replacement of said topsoil and the site returned to its original condition, except for the retention basin and other drainage facilities, within five (5) years of this date.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

The resolution was thereupon unanimously adopted.

September 19, 1983

STATUS REPORT ON UNFINISHED BUSINESS:

1. Dumping Permit - Helen Fahey
On April 18, 1983, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
2. Dumping Permit - Manhasset Tool & Die Co., Inc.
On August 15, 1983, the Planning Board recommended denial of this permit.
3. Public Improvement Permit Authorization - Country View East Subdivision, Phase I Marrano
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1983.
4. Public Improvement Permit Authorization - Heritage Hills Subdivision - Phase I
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
5. Public Improvement Permit Authorization - Woodview Estates Subdivision
The Town Board authorized issuance of P.I.P. No. 57 (sidewalks) and No. 58 (street lighting) which have not yet been accepted by the Town Board. There is no retention pond associated with this subdivision.
6. Public Improvement Permit Authorization - Lancaster Industrial Commerce Center
The Town Board authorized issuance of P.I.P.No. 77 (water mains) and No. 78 (retention basin) on June 6, 1983.
7. Rezone Petition - Home by Helenbrook
On September 19, 1983, the Town Board approved the rezone. The Town Clerk was directed to remove this item from future Town Board agendas.
8. Rezone Petition - Andco Technical Realty Services, Inc.
On September 6, 1983, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
9. Road Acceptance - Pasquale Drive
On November 15, 1982, the Town Board tabled this matter for further study.
10. School Zone Designation - Cayuga Heights Elementary School
On September 15, 1983, the Depew School District voters authorized bus transportation for district students. The Town Clerk was directed to remove this item from future Town Board agendas.
11. Subdivision Approval - Plumb Bottom Estates
On June 1, 1981, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
12. Traffic Study - Signal Bowen Road and Broadway
On November 30, 1982, the N.Y.S. Dept. of Transportation forwarded to the Supervisor a traffic count for the intersection of Broadway & Bowen Roads.
13. Traffic Study - Re-Construction Genesee Street and Ransom Road
On July 28, 1983, Assemblyman Graber notified the Town Board that re-construction of this intersection will take place in the Spring of 1984.

STATUS REPORT ON UNFINISHED BUSINESS CONT'D.:

14. Traffic Study - Speed Reduction-Simme Road

On September 6, 1983, the Town Board requested a Traffic Study from the N.Y.S. Dept. of Transportation.

15. Traffic Study - Speed Reduction on William Street

On July 15, 1983, the N.Y.S. Dept. of Transportation indicated that they expect to complete this study within the next month.

The Town Clerk was directed to add this item to future Town Board agendas:

"Traffic Study - Speed Reduction on Como Park Boulevard"

PERSONS ADDRESSING TOWN BOARD:

None

COMMUNICATIONS:DISPOSITION

666. Town Clerk to Supervisor - Monthly report for August 1983.	R & F
667. Town Clerk to Global Cable TV - Notice of expectation of completion of CATV system by 1/84.	R & F
668. Highway Supt. to Town Board - Recommendation that contract for trucks be awarded to Lake Erie International trucks.	R & F
669. Barbara Conklin to Town Board - Notification of resignation effective 8/16/83.	HUMAN SERVICES COMM.
670. National Fuel to Town Board - Determination that Town no longer is required to maintain dual-fuel facilities.	R & F
671. D.C.O. to Town Board - Monthly report for August 1983.	R & F
672. Town Clerk to Town Board - Resume of actions taken in regards to Town Board meeting held 9/6/83.	R & F
673. Global Cable TV to Supervisor - Transmittal of check and financial report.	R & F
674. Supervisor to Philip Antonicelli - Statement of position regarding engineering services for dumping permit application.	R & F
675. Leg. Slisz to Supervisor - Copy of resolution to be submitted authorizing receivers of taxes to retain interest on invested real property receipts.	R & F
676. Town Clerk to Beverly Galmbacher - Transmittal of resolution granting Special, Temporary Revocable Permit.	R & F
677. N.Y.S. Public Service Commission to Supervisor - Notice of special public hearing to be held in Buffalo on 10/11/83 regarding pending rate proposals of N.Y. Telephone Co.	R & F
678. Supervisor to Town Board - Notification of various investments of funds during August 1983.	R & F
679. N.Y.S. Public Employment Relations Board to Supervisor - Results of Compulsory Arbitration between Town and Police Benevolent Association.	R & F
680. County Division of Highways to Town Board - Information regarding Como Park Blvd.	DEPEW SCHL.DIST.-I.PIUSIENSKI R.KRUGER - LEG.MOHR -LEG.SLISZ VILLAGES OF LANC. & DEPEW
681. Twin District V.F.C. to Town Clerk - Recommendation of two members to active membership roster.	R & F
682. Recreation Commission to Town Board - Request transfer of funds to purchase mower.	SUPERVISOR
683. Recreation Commission to Town Board - Request confirmation of Marily Hart as substitute in Nutrition Program.	R & F

COMMUNICATIONS CONT'D:DISPOSITION

684. Recreation Commission to Town Board - Request transfer of funds for extension of pool hours.	<u>SUPERVISOR</u> _____ _____
685. Planning Board to Town Board - Recommendation of approval of Helenbrook Rezone Petition.	<u>R & F</u> _____ _____
686. Planning Board to Town Board - Minutes from meeting held 9/7/83.	<u>R & F</u> _____ _____
687. Supervisor to Town Clerk - Transmittal of 1984 Budget Officer's Tentative Budget for Special Districts.	<u>R & F</u> _____ _____
688. Assessor to Town Board - Request appointment as assessor for period 9/30/83 to 9/30/89.	<u>R & F</u> _____ _____
689. Deputy Town Attorney to Town Board - Advisement regarding proposed juvenile program.	<u>PUBLIC SAFETY & HUMAN SERVICES COMM.</u> _____ _____
690. ECSD No. 4 to Supervisor - Minutes of grant meeting with municipalities on 8/24/83.	<u>R & F</u> _____ _____
691. County Dept. of Personnel to Supervisor - Transmittal of New Position Duties Statement regarding Youth Counselor position.	<u>R & F</u> _____ _____
692. Fox & Company to Town Board - Letter proposal for accounting services.	<u>ORGANIZATIONAL MEETING BUDGET COMMITTEE</u> _____ _____
693. Councilman Giza to Town Board - Report on Assn. of Towns Conference held in Washington, D.C. from 9/11-13/83.	<u>R & F</u> _____ _____
694. Association of Erie County Governments to Supervisor - Notice of meeting to be held at Orchard Park on 9/22/83.	<u>R & F</u> _____ _____ _____
<p>The Supervisor requested a suspension of the necessary rule for immediate consideration of the following communications - SUSPENSION GRANTED.</p>	
695. Assessor to Town Board - Termination of Temp. Real Property Appraiser Estimator Trainee, Michael J. Forton, as per original hiring arrangement.	<u>R & F</u> _____ _____ _____
696. Gelert Development Co., Inc. to Supervisor - Request permission to remove additional material from roadside area of Lancaster Industrial Commerce Center.	<u>TOWN ATTORNEY FOR SUSPENDED RESOLUTION</u> _____ _____ _____
697. State Of New York Dept. of State to Supervisor - Change in schedule of one Local Government Forum in Rochester.	<u>R & F</u> _____ _____
698. Fox & Company to David Brown - Fire Protection District Budget Amendment	<u>TOWN CLERK FOR SUSPENDED RESOLUTION</u> _____ _____
699. Dept. of Correctional Services to Town Board - Open Community Information Meetin on Alden Correctional Facility to be held 9/29/83.	<u>R & F</u> _____ _____ _____

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 9:55 P.M. out of respect to:

LLOYD NOLL ✓

EDMUND CZECH ✓

CLARENCE MOLINARO ✓

JUSTYNA FLISEK ✓

GEORGE DIEFENBACH

SHIRLEY E. REIGLE ✓

Signed Robert P. Thill
Robert P. Thill, Town Clerk